

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROBIN GLACE, MARGARET
KINNAMON, SHERRY MCCANE and
DIXIE SEMANS,

Plaintiffs,

v.

INTERNAL MEDICINE OF
BRIDGEVILLE, a sole proprietorship
operating in the State of Delaware,
KENNETH R. SMITH, M.D., individually
as sole proprietor of Internal Medicine of
Bridgeville

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C.A. NO.:06-767

Trial by Jury Demanded

**INITIAL DISCLOSURES PURSUANT TO FED.R.CIV.PRO.26(a)(1) OF
DEFENDANTS' INTERNAL MEDICINE OF BRIDGEVILLE AND KENNETH
R. SMITH, M.D.**

COMES NOW, Internal Medicine of Bridgeville and Kenneth R. Smith, M.D., by and
through their attorneys, Liguori, Morris & Yiengst and makes the following initial
disclosures required by Fed. R. Civ. Pro. 26 (a)(1):

A. The following individuals are likely to have discoverable information which
Defendants may use to support its claims and defenses:

1. Linda Johnson, 28143 Pine Ridge Dr., Seaford, DE 19973
2. Anne Elliott, 360 Graham Branch Rd., Seaford, DE 19973
3. Angela Zimmerman, 2973 Tub Mill Pond Rd., Milford, DE 19963
4. Sue Murphy, 116 E. 3rd Street, Blades, DE 19973
5. Jacqueline Smart, 18859 Oak Rd., Bridgeville, DE 19933
6. Dinah Stayton, 20781 Conrail Rd., Bridgeville, DE 19933
7. Dr. Moushumi Kundu, 521 N. Porter Street, Apt. F, Seaford, DE 19973

8. Michelle Dilano, 4019 Houston Bridge Rd., Federalsburg, MD 21632
9. Betty Richard, 12107 Cool Branch Rd., Laurel, DE 19956
10. Ellen Sigman, 6908 Ray Rd., Bridgeville, DE 19933
11. Patricia Russell, 16913 Beaver Dam Rd., Ellendale, DE 19941.
12. Nina Briggs, 9633 Barry Drive, Seaford, DE 19973
13. Nancy Trice, 8487 Herns Pond Rd., Seaford, DE 19973
14. Dr. Lynn Romano, address unknown.
15. Dr. Mike Miller, address unknown
16. Cindy Soloman, address unknown
17. Stacy Baley, address unknown.
18. Dr. Nadine Halko, address unknown
19. Pepper Calloway Fausnaught, address unknown
20. Ruth Smallwood, address unknown
21. Holly Hill Robins, address unknown
22. Donna Stagger, address unknown
23. Anita Orendorf, 1307 Holly Brook Apartments, Laurel, DE 19986
24. Stephanie Smith, Alexander Smith, Jennifer Smith, Joshua Smith, Dr.
Kenneth Smith, Suzanne Smith, 28097 Barley Run, Seaford, DE 19973.
25. Robin Glace, address unknown
26. Margaret Kinnamon, address unknown
27. Sherry McCane, address unknown
28. Dixie Semans, address unknown
29. Sherry Baker, address unknown

- B. The following documents and tangible things that are in the possession, custody, or control of the Defendants which may be used in support of its claims and/or defenses:

1. Documents concerning Robin Glace:

EEOC & Delaware Department of Labor Documents

- a. Charge of Discrimination
- b. Verification signed by Robin Glace
- c. Unemployment transcript 12/6/04
- d. Unemployment decision by claims deputy
- e. 12/7/04 letter from Appeals Referee
- f. Fact-finding statement by employer

Employer Memos RE: Robin Glace

- a. 12/19/97 RE: Time Cards
- b. 3/5/98 RE: Record Entries
- c. 1/19/99 RE: Scheduled Hours & Phone Calls
- d. 3/29/02 RE: Absenteeism
- e. 5/12/04 RE: Diabetes/charts
- f. 6/10/04 RE: Lunch
- g. Statement signed by Robin Glace
- h. Documentation showing improper record keeping

2. Documents concerning Margaret Kinnamon

EEOC & Delaware Department of Labor Documents

- a. Verification signed by Margaret Kinnamon

Employer Memos RE: Margaret Kinnamon

- a. 2/25/04 RE: Notes from Margaret Kinnamon
- b. 5/7/04 RE: Margaret Kinnamon Internal Medicine visit
- c. 7/13/04 RE: Completion of work
- d. 7/13/04 RE: Completion of work
- e. 7/15/04 RE: Margaret Kinnamon work not getting done
- f. 7/21/04 RE: Margaret Kinnamon work not getting done
- g. 7/28/04 RE: Infraction of office procedures
- h. 8/23/04 RE: Memos returned
- i. 9/2/04 RE: Note from Margaret Kinnamon
- j. 10/7/04 RE: Memos returned
- k. 10/19/04 RE: Out of work notice
- l. 10/26/04 RE: Verbal Warning
- m. 10/26/04 RE: Verbal warning notes by Suzanne Smith
- n. 11/3/04 RE: Note from Margaret Kinnamon to Suzanne Smith

- o. 11/8/04 RE: Resignation letter
- p. Letter from Suzanne Smith
- q. Documents detailing improper billing

3. Documents concerning Sherry McCane

EEOC & Delaware Department of Labor Documents

- a. Notice of unemployment hearing
- b. Referee's decision
- c. Claims deputy decision

Employer Memos RE: Sherry McCane

- a. 5/7/04 RE: New format
- b. 8/23/04 RE: Scheduled work hours
- c. 8/23/04 RE: Unemployment hearing
- d. 9/30/04 RE: Meeting notes
- e. 10/11/04 RE: Change Dr. Smith's schedule
- f. 10/11/04 RE: Charting
- g. 10/13/04 RE: Note from Sherry McCane
- h. 10/13/04 RE: answering phones
- i. 10/13/04 RE: Phones
- j. 10/13/04 RE: Formal reprimand
- k. 10/14/04 RE: Meeting regarding phone calls
- l. 9/2/04 RE: Staff Interaction

4. Documents regarding Dixie Semans

Employer Memos RE: Dixie Semans

- a. 5/7/04 RE: New Format
- b. 7/13/04 RE: Drug Samples

5. Documents regarding Faye Orendorf

EEOC and Delaware Department of Labor Documents

- a. Charge of discrimination
- b. EEOC and DDOL filings

Employer Memos RE: Faye Orendorf

- a. 5/25/04 RE: Job performance
- b. 5/25/04 RE: Job performance response
- c. 6/18/04 RE: 6/9/04 meeting
- d. 6/18/04 RE: 6/9/04
- e. 8/3/04 Signed termination
- f. 8/3/04 Termination & attachment

6. Documents regarding Lynda Johnson

EEOC and DDOL documents

- a. Notice & charge of discrimination

- b. Unemployment documents
- c. Referee's decision
- d. Appeal Board's decision
- e. Transcript of hearing before Referee

Employer Memos RE: Lynda Johnson

- a. 8/23/04 RE: Unemployment hearing
- b. 8/23/04 RE: Unemployment hearing-handwritten notes by Johnson
- c. 11/3/04 RE: Call from hospital- handwritten notes by Johnson
- d. 11/3/04 RE: Call from hospital
- e. 11/12/04 RE: Call from Hospital-notes by Johnson
- f. 11/12/04 RE: Call from hospital-notes by Johnson
- g. 11/12/04 RE; Call from hospital-handwritten notes

7. Internal Medicine of Bridgeville Employee Handbook

8. EEOC filings made by Jennifer Brady, Esquire

9. Statement prepared by Suzanne Smith at request of Glace & Semans

10. Employer memos to staff

- 1/5/04 RE: Note from Suzanne Smith to Dr. Smith
- 2/10/04 RE: Office policies
- 2/10/04 RE: Office policies signed by Semans
- 5/7/04 RE: New Format
- 5/11/04 RE: Office policies & procedures
- 5/11/04 RE: Office policies & procedures
- 5/25/04 RE: Grounds for termination
- 5/25/04 RE: Grounds for termination-Laurel Office
- 5/25/04 RE: Grounds for termination-Bridgeville Office
- 5/25/04 RE: Grounds for termination-signed by Semans
- 6/10/04 RE: Lunch
- 6/5/04 RE: 7/5/04
- 7/6/04 RE: Dispensing of office info
- 7/6/04 RE: Dispensing of office-signed by Suzanne Smith
- 7/13/04 RE: policy/drug samples
- 7/13/04 RE: policy/drug samples-Laurel office
- 7/26/04 RE: Hours & times
- 7/30/04 RE: Notes
- 8/23/04 RE: 9/1/04
- 8/31/04 RE: Note from Dr. Smith regarding Anne Elliott
- 9/2/04 RE: Staff interaction
- 10/13/04 RE: Phones
- 10/13/04 RE: Michelle Delano
- 10/14/04 RE: Meeting regarding phones
- 10/20/04 RE: Office policy/white out

10/20/ RE: Office policy/white out
10/29/04 RE: 10/29 schedule
11/22/04 RE: Sick Benefits
12/10/04 Resignation letter of Dr. Romano
12/16/04 RE: Requested time off
12/30/04 RE: Anne Elliott
1/5/05 RE: Team approach
1/5/05 RE: Refusal to sign memos
1/6/05 RE: Unemployment hearing
1/6/05 RE: Team approach
1/10/05 RE: Food issue
1/10/05 RE: Food issue
1/10/05 RE: Food issue
1/10/05 RE: Food issue
1/12/05 RE: Paperclips in copier
3/14/05 RE: Scheduled times
4/15/05 RE: Resignation
5/15/05 RE: Continuity of care
No Date RE: Dr. Kundu
6/13/05 RE: Incident report
7/14/05 RE: Checking patients
7/22/05 RE: Rolodex
7/22/05 RE: Supplies
9/14/05 RE; Team security
9/14/05 RE: Team security-notes from Suzanne Smith
11/17/05 RE: Scheduling
12/21/05 RE: Confidentiality/Professionalism
12/28/05 RE: Auto accident visits
12/28/05 RE: Patient complaint
1/10/06 RE: Patient complaint
1/30/06 RE: Time card
1/30/06 RE: Time card
7/18/06 RE: To Dr Kundu
8/8/06 RE: To Cortney
6/16/06 RE: To Jennifer Chabot
7/18/06 RE: To Dr. Kundu
8/8/06 RE: Congratulations
9/22/06 RE: Insubordination
9/22/06 RE: Insubordination
10/2/06 RE: Phone use
12/18/06 RE: To Jennifer Heidi
No Date: policy drug samples
No Date: drug samples
No Date: Mandatory clinical & clerical meeting

11. Office meeting minutes & Notes
1/20/04 Memo from Suzanne Smith to Lynda Johnson
11/19/04 Note from Lynda Johnson
Note from Lynda Johnson
2/5/04
2/6/04 Notes from Lynn Johnson
2/27/04 Notes from Lynn Johnson
2/24/04
2/29/04
3/4/04
3/12/04 Notes from Lynn Johnson
3/19/04
7/16/04 Letter about Nancy Trice
7/23/04 Notes from Lynn Johnson
9/30/04 Notes from Lynn Johnson
10/1/04
9/30/04
11/5/05 Notes from Lynn Johnson
Unknown office meeting document-no date
12/6/05
4/28/06
7/14/06
8/11/06
9/22/06
12/4/06

- C. Because the Defendants are not asserting any claim for damages, there are no documents or evidentiary material responsive to Fed. R. Civ. Pro. 26(a)(1)(C).
- D. None.

LIGUORI, MORRIS & YIENGST

/s/ James E. Liguori
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CERTIFICATE OF SERVICE

LIGUORI, MORRIS AND YIENGST, Attorneys for the Defendant in the foregoing cause, hereby certify that two copies of Initial Disclosures Pursuant to Fed.R.Civ.Pro.26(a)(1) were mailed by United States mail, postage prepaid to:

Martin D. Haverly, Esquire
Martin Duane Haverly, Attorney at Law
2 East 7th Street, Suite 302
Wilmington, DE 19801

Dated: March 26, 2007

By: /s/ James E. Liguori, Esquire
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